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NOTES OF CASES.

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**Chantecler or the Barnyard Romeo.**—The word “chantecler” is not of such a descriptive character as to preclude its exclusive appropriation, so held the court in *Frohman and others against Morris, Incorporated, and others*, 123 New York Supplement, 1090, and consequently Edmond Rostand’s play will alone grace the boards under that name this season. The court, in granting an injunction against the use of the word “chanteclair” as the title of a burlesque in which most of the characters were barnyard fowls, said that though no one intending to witness plaintiff’s play would possibly mistake the defendant’s performance for it, still the power to distinguish would not save the playgoer, who had gotten into the wrong theater, as his money would be spent and his evening irretrievably lost. The decree, however, did not interfere with the production of the play under the title of “The Barnyard Romeo.”

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**Obstructions.**—An obstruction, like dirt upon a boy’s face, is merely matter out of place in the opinion of Judge Monroe of the Supreme Court of Louisiana. The court holds that that which may be a stepping-stone when in a position where it is needed and can be used as such becomes an obstruction when occupying a place intended for other use where it is not needed and cannot be so used. In the same case, *McCormack v. Robin*, 52 Southern Reporter, 779, the court holds that the feminine habit of putting on gloves between the front door and street car does not exhibit such reckless disregard or danger to life and limb as to preclude the recovery of damages for injuries resulting from the failure of those whose duty it is to keep the way free from obstruction; a person walking along a street or sidewalk not being expected to exercise the care which would be required in traversing a jungle.

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**Priest’s Vow of Poverty Not against Public Policy.**—By the vow of poverty, Father Wirth, a member of the Order of St. Benedict of New Jersey, agreed that all property acquired by him during his lifetime should become the property of the order. At his death there was found in his immediate possession and control certain property acquired through large royalties received from books which he had written, the abbot having permitted him to retain his earnings and use them for charitable purposes. The question in *Order of St. Benedict of New Jersey v. Steinhauser*, 179 Federal Reporter, 137, is: Does the property belong to the order or to the heirs? Defendant contended that the contract was void as against public policy and that therefore the property belonged to the heirs. The Circuit Court of the United States holds that the contract is not void, since it would be contrary to all sense of justice to say that after Father Wirth had